

**INDIANA COMMISSION ON PROPRIETARY EDUCATION**  
**Minutes of the Board of Commissioners**  
**November 30, 2005**

**CALL TO ORDER**

Paul E. Black, Chairman, called the meeting to order at 10:00 a.m. The meeting was conducted in the Indiana Government Center, South, Conference Center Room 12, 302 West Washington Street, Indianapolis, Indiana

**IN ATTENDANCE**

**Board:** Paul Black, Ken Konesco, Paula Pinkstaff, Dr. Ken Sauer, Patricia Shutt

**Absent:** Dennis Southerland

**Staff:** Lynn Adams, Rebecca Carter, Ross Miller, Jeff Weber, Jodi White

**Guests:** Connie Adelman, Brown Mackie College, South Bend; Corey Dabney, Indiana Graduate School of Management; Francis Giglio and Colt Alton, Lincoln Educational Services; Angela Long, ITT Educational Services; Dr. Thomas Torabi, Liberty College

**MEETING**

**Consideration of the Minutes of September 14, 2005**

**Resolved:** That the minutes of the meeting of September 14, 2005 are approved as written. Ken Konesco made the motion. Paula Pinkstaff seconded the motion. The motion was unanimously approved.

**NEW BUSINESS**

- A. Brown Mackie College, South Bend, Indiana – New Degree Requests

**Staff Recommendation**

Commission staff recommended approval of the request of Brown Mackie College, South Bend, Indiana to award the Associate of Science in Gerontology and the Associate of Science in Health Care Administration.

**Background**

Rebecca Carter reported that Brown Mackie Colleges purchased the two former Commonwealth schools located in Merrillville and Michigan City and the two former Michiana Schools located in South Bend and Fort Wayne. The degree requests are for the South Bend campus. The school is accredited by ACICS.

The degree program is 96 quarter credit hours. Fifty percent of the courses are in the specialty and a minimum of 35 percent of the courses are in the liberal arts meeting the requirements for an Associate of Science degree. The faculty meets the minimum criteria for each program as well.

**Discussion**

Mr. Black asked for clarification of the faculty to distinguish who is teaching what.

Connie Adelman, campus director, was present and explained that the faculty qualification records identifying those with BSN's, RN's, and CMA's will instruct in the specialty areas.

Mr. Konesco asked Ms. Adelman to distinguish between Medical Assisting and Health Care Administration.

Ms. Adelman stated that the Health Care Administration is the administrative side of medicine, the billing, the coding, front office work in either a hospital or doctor's office; and the Medical Assisting is working with the patients in the back office.

Dr. Sauer asked if Brown Mackie has an articulation agreement with any universities. His concern was with the designation and approval as an Associate of Science as it implies that the program would transfer and baccalaureate articulation opportunities are available to students.

Ms. Adelman said the school is looking for an entity who might be interested, but there presently are no articulation agreements.

Dr. Sauer and Mr. Konesco both expressed concern about the degree designation and suggested that maybe an Associate of Applied Science would be more appropriate.

Ms. Carter explained that all Brown Mackie Colleges are identical in their offerings, therefore, the South Bend campus had to seek the AS designation.

**Resolved:** Mr. Black called for a motion that Brown Mackie College – South Bend, Indiana be granted the approval to award an Associate of Science in Gerontology and the Associate of Science in Health Care Administration.

Mr. Konesco made the motion. Ms. Pinkstaff seconded the motion. Dr. Sauer abstained from voting and explained he is not concerned with the quality of the proposed program, but with the degree designation as an Associate of Science. The motion passed with four aye votes.

#### B. DeVry University, Indianapolis, Indiana – New Degree Request

##### **Staff Recommendation**

Commission staff recommended approval of the request of DeVry University-Indianapolis for the authority to award an Associate of Applied Science in Network Systems Administration.

##### **Background**

Ms. Carter reported that there were no representatives from DeVry University present.

DeVry University – Indianapolis is a DeVry location that is accredited North Central Association of Colleges and Schools (NCA).

The program is comprised of 67 semester-credit hours, has a minimum of 75% of the courses in the specialty, and the faculty meet the criteria as required in 570 IAC 1-10.1-4.

##### **Discussion**

Mr. Konesco asked for confirmation of his understanding that the proposed program is on-line rather than residential. Also, if he is correct that the program is on-line, is his understanding correct that all the programs at DeVry – Indianapolis are on-line degrees.

Ms. Carter responded that the Indianapolis location is residential and on-line.

Mr. Black noted his satisfaction with the quality of the faculty.

**Resolved:** Mr. Black called for a motion to approve the staff's recommendation to grant DeVry University – Indianapolis the authority to award an Associate of Applied Science in Network Systems Administration. Ms. Pinkstaff made the motion. Dr. Sauer seconded the motion. The motion was unanimously approved.

C. Indiana Graduate School of Management, Merrillville, Indiana – New Degree Request

**Staff Recommendation**

Commission staff recommended approval of the school's request for the authority to award an Associate of Science in Nursing degree with five stipulations.

1. Faculty qualification records must be consistent with the courses they are assigned to teach.
2. Prior to implementation of the program, faculty composition must be sufficient to meet the requirements of the State Board of Nursing.
3. Prior to implementation of the program, facilities and lab equipment must be sufficient to meet the requirements of the State Board of Nursing.
4. Prior to Implementation, further information pertaining to practicum experiences must be provided to the commission staff.
5. The surety bond must be increased to the maximum of \$50,000 prior to implementation of the program.

**Background**

Ms. Carter introduced Corey Dabney, President and CEO of the school who was in the audience.

She reminded the Board that Mr. Dabney came before them at the June 2005 meeting seeking degree approval for a BS in Business and a Master's of Business Administration. The remaining programs at the school are certificate programs.

Mrs. Carter explained that because nursing is a licensed profession and is also regulated by the Indiana Nursing Board which is a part of the Professional Licensing agency, the school must meet their standards regarding curriculum. Therefore, if the Commission on Proprietary Education approves the school's request to offer an Associate of Science in Nursing, it cannot be implemented until the program receives a site visitation and approval by the State Board of Nursing.

The nursing program is comprised of 96 quarter credit hours of training 65 percent of the courses are in the specialty, and 35 percent of the remaining courses are in liberal arts. Although the current faculty appears to have the educational qualifications required to teach, commission staff has some concerns about the number of course preparations that are assigned to each member to teach. Commission staff requires that as each future faculty member is hired, an Instructor Qualification Record form must be submitted along with the required supportive documentation.

Ms. Carter further explained that there are multiple steps that the school must accomplish before it can be fully approved to begin offering classes, but as a new school of nursing it has to begin with COPE and progress to North Central much like, Lutheran College did.

**Discussion**

Dr. Sauer asked if any of the current staff members of Indiana Graduate School of Management have ever gone through a North Central evaluation.

Mr. Dabney confirmed that no one has ever gone through the evaluation process and indicated that they are working with the Nursing Board to make sure all the components are in place.

Dr. Sauer suggested that the school may wish to hire a consultant that has gone through an evaluation to assist in the preparation of materials for a regional evaluation. He asked that a list of the items that have been ordered such as beds, mannequins, and other equipment that must be on hand for a nursing program adequate for a NCA visit be provided to the Board.

Mr. Konesco asked how Mr. Dabney is funding the school and the purchase of such expensive equipment.

Mr. Dabney indicated that he is personally funding about \$180,000.00 of the approximate \$200,000 cost of the instructional lab. The facility where the school is presently located is large enough to accommodate expansion to include the lab so there will be no need to move or have a change of address, etc.

Dr. Sauer stated that as a Board, the concern is whether the graduates are employable as registered nurses. The fact remains that they are not employable as registered nurses until the State Board of Nursing grants them approval. There lies the dilemma. The process requires the approval by the State Board of Nursing, but it must have the COPE Board's approval before SBN will approve it. Therefore, the duty of the COPE Board is not to impede the process and help in any way it can.

Mr. Konesco stated that he agreed the bond is too low at \$5000 noting that if anything were to go wrong the bond would not be sufficient to cover the liability of refunds.

Mr. Dabney indicated that he would have no problem obtaining a \$50,000 bond.

The lengthy discussion continued culminating in a motion to defer action on the formal request of Indiana Graduate School of Management for the authority to award the Associate of Science in Nursing.

**Resolved:** Mr. Black made a motion and the motion was seconded by Mr. Konesco and unanimously approved to defer action on the request by Indiana Graduate School of Management for the authority to award the Associate of Science in Nursing until such time that the school can provide documentation of compliance with the following requirements:

- **Submit to the Commission prior to December 15, 2005**  
*(necessary for any Commission action or consideration immediately following the scheduled hearing before the Indiana State Board of Nursing):*
  - Documentation that faculty qualifications are consistent with the courses each is assigned to teach.
  - Detailed information pertaining to the practicum activities required of students.
  - The institutional surety bond for the Indiana Graduate School of Management must be increased to \$50,000 – the maximum defined in the Commission's statute.
  - A financial statement that demonstrates actual and real assets and liabilities in a format for standard business practices such as one would provide to a financial institution in an attempt to secure financing.
- **Prior to implementation of the program (or any advertisement thereof):**
  - The degree program must be fully approved by the Indiana State Board of Nursing, including but not limited to, faculty composition, facilities and equipment, and curriculum structure.

Once commission staff is satisfied these conditions have been met, a ballot with recommendation for approval will be mailed to the Board of Commissioners. Indiana Graduate School of Management will be notified of the Board's decision based on the outcome of the ballot vote.

D. Liberty College, Lake Station, Indiana – New Degree Requests

### **Staff Recommendation**

Commission staff recommended that Liberty College be granted the authority to award the following degrees:

Associate of Science in Diagnostic Imaging  
Bachelor of Science in Biological Science  
Bachelor of Science in Education

### **Background**

Rebecca Carter introduced Dr. Thomas Torabi, owner of the school, who was present to respond to questions of the Board.

Ms. Carter reminded the members that Liberty College received Fully Accredited status at the previous meeting in September 2005 as a result of a very positive onsite evaluation.

The school has been offering certificate programs in Biology/Pre-Medicine, Diagnostic Imaging, Nuclear Medicine Technology and Radiology Technology. However, the school's objective is to become a degree-granting institution with the intention to become accredited by the North Central Association of Colleges and Schools (NCA). The degrees presented are the first since the school was granted Fully Accredited status which is a requirement to offer degrees.

Dr. Torabi has also been working with the Division of Professional Standards of the Indiana Department of Education which has a joint partnership with the National Council for Accreditation of Teacher Education. They will require approval of the BS in Education degree by COPE before Liberty College can be recognized by their organization to have the graduates receive Indiana teaching licenses.

All programs meet the criteria for courses in the specialty and liberal arts and the faculty meet the required criteria as well. Ms. Carter added that when additional instructors are hired instructor qualification records and supporting documentation are to be submitted to Ms. Carter for review and approval.

### **Discussion**

Dr. Sauer began the discussion by asking what certification a graduate from the Associate of Science (AS) in Diagnostic Imaging would be qualified to pursue.

Dr. Torabi explained that they would first complete their two-year training and then go to a resident facility and work with patients. Dr. Torabi presented an extremely detailed and clinical explanation of the career field and the career requirements. He expanded his explanation to include details of the Bachelor of Science in Biological Science.

Dr. Sauer asked if a graduate from the AS program could transfer credits to the Bachelor program at Liberty College or another University.

Dr. Torabi said that a graduate could transfer about 30% into the Liberty bachelor program. He also has established articulation agreements with several institutions in the Northwest Indiana area in Chicago, Depage College is one of them.

Dr. Sauer asked about Liberty's status with North Central, where they are in the application process.

Dr. Torabi replied that they are ready to move ahead with North Central, however, the school must have the degree authority from COPE before North Central will proceed with accreditation.

Dr. Sauer asked in regard to the teacher education program, if Dr. Torabi was familiar with the requirements of the Professional Standards board that licenses teachers in Indiana?

Dr. Torabi said that he has been working with a specialist in accreditation from an independent group who is familiar with the requirements the school must meet to offer the programs and to become North Central accredited. Once again, the first step in proceeding is to receive approval from COPE.

For clarification, Ms. Carter asked Dr. Torabi if he is familiar with another state agency known as the Professional Standards Board and their requirements for teacher licensing in Indiana.

Ms. Shutt corrected Ms. Carter by explaining that the past legislative session eliminated that separate entity and it became the Division of Professional Standards, a part of the Indiana Department of Education.

Dr. Torabi said he is familiar with the requirements of the Division of Professional Standards because he has hired consultants to assist with the accreditation process.

Ms. Shutt stated that she is uncomfortable with approving a bachelor degree in education when the Division of Professional Standards is the group that has the authority to approve the program of courses.

**Resolved:** Dr. Sauer made a motion to approve the request of Liberty College to award the Associate of Science in Diagnostic Imaging and a Bachelor of Science in Biological Science. Ms. Pinkstaff seconded the motion. The motion was unanimously approved.

Ms. Shutt made a motion to defer action on the request of Liberty College to offer the Bachelor of Science in Education until the commission has received information from the Indiana Department of Education, Division of Professional Standards' (DPS) determination if the course content of the proposed program will satisfy the DPS requirements for issuing teaching licenses in Indiana. Dr. Sauer seconded the motion. The motion was unanimously approved.

#### E. Lincoln Technical Institute, Indianapolis, Indiana – New Degree Request

##### **Staff Recommendation**

Commission staff recommended approval of the request of Lincoln Technical Institute, Indianapolis, Indiana for the authority to award an Associate of Applied Science in Criminal Justice and an Associate of Applied Science in Health Information Technician.

##### **Background**

Ms. Carter reported that the Indianapolis location of the Lincoln Technical Institute submitted applications seeking approval to award an Associate of Applied Science in Criminal Justice and an Associate of Applied Science in Health Information Technician. Both programs will be on-line distance education programs.

The criminal justice program consists of 66 semester-credit hours of training and the Health Information Technician program consists of 75 semester-credit hours of training. Both programs have a minimum of 75% of the courses in the specialty. The faculty credentials will be submitted for commission staff approval as they are hired, therefore, any approvals of the degree requests will be contingent upon providing the instructor qualification records for review and approval before beginning the programs.

##### **Discussion**

Ms. Carter introduced Francis Giglio and Colt Alton of the Lincoln Technical Institute corporate offices.

Ms. Carter asked if the two proposed degree programs are the first for Lincoln Technical Institute at any location. Mr. Alton confirmed that they are the first, however, there are applications in some other states awaiting approval.

Ms. Carter asked if the program would be administered from the corporate location since it is on line, or if it would be done in Indianapolis. Mr. Alton replied that the courses would be administered from a central location; however, all student files and records will be maintained in Indianapolis for all students in the programs throughout the country.

After a brief discussion, a motion was made to approve the request.

**Resolved:** Mr. Konesco made a motion to approve the request of Lincoln

Technical Institute, Indianapolis, Indiana to award the AAS in Criminal Justice and the AAS in Health Information Technician. Ms. Pinkstaff seconded the motion. The motion was unanimously approved with the stipulation that instructor qualification records will be provided to commission staff for review and approval before beginning the programs.

- F. University College of Northwood University, Indianapolis, Indiana – New Degree Requests

**Staff Recommendation**

Commission staff recommended approval of the request of University College of Northwood University, Indianapolis, Indiana for the authority to award an Associate of Arts in Accounting and a Bachelor of Business Administration in Accounting.

**Background**

Ms. Carter reported that Northwood University is regionally accredited by the North Central Association of Colleges and Schools (NCA). They are located near Community Hospital North on Shadeland Avenue on the north-east side of Indianapolis in an area named Hillsdale Court.

The school submitted two applications seeking degree approval to award an Associate of Arts in Accounting and a Bachelor of Business Administration in Accounting. The associate program is comprised of 90 quarter-credit hours of training, 50 percent of the courses are in the specialty, and a minimum of 35 percent of the remaining courses are in liberal arts. The bachelor program is comprised of 180 quarter-credit hours of training. All faculty members hold a minimum of a master's degree which meets the criteria for teacher standards.

**Discussion**

Dr. Sauer asked if the program is a two plus two, meaning that you take the AA in accounting and can move on to get the BBA in accounting.

Ms. Carter replied, "Yes," to the question.

A very brief discussion followed.

Mr. Black called for a motion.

**Resolved:** Paula Pinkstaff made a motion to approve the staff recommendation to grant University College of Northwood University the authority to award the Associate of Arts in Accounting and the Bachelor of Business Administration in Accounting. Ms. Shutt seconded the motion. The motion was unanimously adopted.

**COMMISSIONER'S REPORT**

- A. Adoption of Regulations, Title 570 IAC

**Staff Recommendation**

Commission staff recommended adoption of the proposed changes to Title 570 of the Indiana Administrative Code in accordance with the background information that was presented in the agenda and published in the October, 2005, Indiana Register.

**Background**

A public hearing on the proposed rules was held on October 26, 2005, in the Indiana Government Center. No comments or concerns were presented by those in attendance. Staff presented summary comments for the record of the meeting of the Indiana Association of Private Career Schools conducted on October 18, 2005, at Indiana Business College. There

was a suggestion that two additional definitions be considered in order to clarify their use within the regulations: "Operator" (Sec. 1-14-11), and "Privately Endowed" (Sec. 1-1-14(E)).

"Operator" refers to the entity, owner, or corporation which has a financial responsibility for the proprietary school and its operations.

"Privately Endowed" means that the institution is funded in whole or in part by funds that are not wholly expendable by the institution on a current basis under the terms of the applicable gift instrument(s).

#### **Discussion**

Mr. Jeff Weber, Commissioner, asked the Board if the definitions are sufficient in order to go forward with them to the Legislative Services Agency. Other changes were provided in the agenda for approval.

Mr. Black advised that the proposals have been through public hearing, and before it goes to the legislature for adoption procedures, it will require one final vote of approval by the Board.

Mr. Black asked if there were any other addition, corrections, or deletions from the proposed regulations. No one commented.

Mr. Black called for a motion that the proposed revised regulations be submitted to the legislature as written.

**Resolved:** Dr. Sauer made the motion to submit the proposed revised regulations to the legislature. Ms. Shutt seconded the motion. The motion was unanimously approved.

Mr. Konesco made a motion to adopt the official minutes of the public hearing considering the revisions to the regulations. Ms. Pinkstaff seconded the motion. The motion was unanimously approved.

#### **B. Report of Assessed Fees for Institutional Licensing and Related Operations**